

## EXHIBIT A

17

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1 UNITED STATES DISTRICT COURT  
1 SOUTHERN DISTRICT OF NEW YORK  
2 -----x

3 ALLAN APPLESTEIN TTEE FBO,  
3 D.C.A. GRANTOR TRUST,

4 Plaintiff,

New York, N.Y.

5 v.

03 Civ. 6268 (TPG)

6 THE PROVINCE OF BUENOS AIRES,

7 Defendant.  
8 -----x

9 August 18, 2010  
10 3:15 p.m.

11 Before:

12 HON. THOMAS P. GRIESA,

13 District Judge

14 APPEARANCES

15 WACHTEL & MASYS

15 Attorneys for Plaintiff

16 BY: HOWARD KLEINHENDLER

17 CLEARY GOTTSLIEB

17 Attorneys for Defendant

18 BY: CARMINE BOCCUZZI

18 RAHUL MUKHI  
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1           What I am saying is at this point I am allowed to test  
2 that assertion. I don't have to rely on seven words in a  
3 translated declaration by somebody in Buenos Aires to tell me  
4 don't worry, this bond offering, this half a billion dollar  
5 bond offering has nothing to do with the United States when,  
6 one -- and it is not disputed by the other side -- Bank of  
7 America has been hired to manage it. They say in their papers  
8 that the United States securities laws will be affected by it,  
9 and we know that the SEC laws only come into effect if the  
10 bonds are securities that are offered on a United States  
11 exchange.

12           So what I'm asking for at this point, Judge, is very  
13 limited discovery to find out, one, what's the deal with Bank  
14 of America. I want to see the contract. I want to see the  
15 economic terms with Bank of America, who is identified as the  
16 manager of the bond offering and whose role has not been  
17 disputed by any of the papers in front of you today.

18           THE COURT: I know the defense will bring this up, but  
19 just to save time, you are seeking, as I understand it,  
20 attachment and/or execution and/or restraining orders, right?

21           MR. KLEINHENDLER: And discovery, correct.

22           THE COURT: And discovery.

23           I think you have a judgment or judgments, right?

24           MR. KLEINHENDLER: Correct.

25           THE COURT: So it would really be execution. I think

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1 the FSIA mixes it up a little bit, but anyway it's attachment  
2 and/or execution and then the state law restraints, right?

3 MR. KLEINHENDLER: Correct.

4 THE COURT: How can there be any of that process where  
5 there is no asset right now?

6 Is there any asset right now to be attached or  
7 executed against or restrained?

8 MR. KLEINHENDLER: The answer is no. But I am allowed  
9 under New York state law, which applies when I'm enforcing a  
10 federal judgment, to have discovery to seek out where those  
11 assets may be, and I have sufficiently identified what assets  
12 I'm looking for.

13 THE COURT: I don't think you have any evidence that  
14 there are assets that may be in being now. The fact is that  
15 the assets you are talking about may come into being, but this  
16 isn't a matter of getting discovery about where some assets may  
17 be that are hidden or obscured in some way. There are no such  
18 assets now. How can there be any process?

19 Let's suppose you had discovery, a lot of discovery  
20 about what is going to go on in the future and you came back  
21 with the results of that discovery. There would be nothing  
22 still to attach.

23 MR. KLEINHENDLER: There would be, Judge, because  
24 there would be ultimately the bond proceeds.

25 THE COURT: Ultimately is ultimately. Right now there  
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1 are no such assets in being. It is possible under some other  
2 procedure under state law that somebody might come in and be  
3 able to get some kind of injunctive relief tying up something  
4 that might occur in the future, but that isn't what you are  
5 applying for now. So I don't see that there is a basis for the  
6 Court to act here.

7 MR. KLEINHENDLER: The Court has jurisdiction to  
8 fashion discovery, and it's under Rule 26 which can apply here,  
9 in the way it sees fit. I don't believe the statutes are  
10 supposed to put us in a hide and seek catch me if you can.

11 THE COURT: Let me just interrupt you again.

12 I will assume that there will be at some point this  
13 bond offering. And I agree with you that that statement is not  
14 conclusive as far as the Court is concerned that there won't be  
15 some assets in the United States, that there won't be some  
16 buyers in the United States who would deposit money into a  
17 United States entity.

18 I don't think that possibility is precluded by what is  
19 represented here, at least for the purposes of the Court, but  
20 that's something that may or may not happen in the future. I  
21 want to emphasize the may not. It may not. But it seems to me  
22 you have to come in and you have to make a showing of some  
23 assets in the United States or else something to indicate the  
24 reasonable probability that there are assets in the United  
25 States. If you did that, I think you could have discovery.

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